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TO: Detroit City Council

FROM: David Whitaker, Director 
Legislative Policy Division

DATE: November 13, 2024

RE: Proposed Amendment to Detroit City Code, Payment In Lieu of Taxes

The Legislative Policy Division has been requested by Council Member Mary Waters to provide a proposed amendment to the City Code Chapter 44, Article IV, Division 6, Payment in Lieu of Taxes for Government-aided, Fast Track, and Workforce Housing Development, to provide an annual reporting requirement. LPD submits this draft amendment to the Detroit City Council for referral to the Law Department for review and approval as to form.

If we can be of further assistance, please call upon us.

S U M M A R Y

AN ORDINANCE to amend Chapter 44 of the 2019 Detroit City Code, Taxation; by amending Article IV, Personal Property Taxes, Real Property Taxes, and Special Assessments; Division 6, Payment in Lieu of Taxes for Government-aided, Fast Track, and Workforce Housing Development; by adding Section 44-4-119, Reporting, to provide for the health, safety and general welfare of the public.

1 **BY COUNCIL MEMBER MARY WATERS:**

2

3 **AN ORDINANCE** to amend Chapter 44 of the 2019 Detroit City Code, Taxation; by amending
4 Article IV, Personal Property Taxes, Real Property Taxes, and Special Assessments; Division 6, Payment
5 in Lieu of Taxes for Government-aided, Fast Track, and Workforce Housing Development; by adding
6 Section 44-4-119, Reporting, to provide for the health, safety and general welfare of the public.

7 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF**
8 **DETROIT THAT:**

9 **Section 1.** Chapter 44 of the 2019 Detroit City Code, Taxation; by amending Article IV,
10 Personal Property Taxes, Real Property Taxes, and Special Assessments; Division 6, Payment in Lieu of
11 Taxes for Government-aided, Fast Track, and Workforce Housing Development; by adding Section 44-4-
12 118, Reporting, to read as follows:

13 **CHAPTER 44, TAXATION**

14 **ARTICLE IV,**
15 **PERSONAL PROPERTY TAXES, REAL PROPERTY TAXES,**
16 **AND SPECIAL ASSESSMENTS**

17 **DIVISION 6,**
18 **PAYMENT IN LIEU OF TAXES FOR GOVERNMENT-AIDED, FAST TRACK,**
19 **AND WORKFORCE HOUSING DEVELOPMENT**

20

21 **Section 1.**

22 **Sec. 44-4-119. – Reporting**

23 **The Housing and Revitalization Department, in consultation with the Office**
24 **of the Chief Financial Officer shall provide annually, a written report to the**
25 **City Council as follows:**
26

1 (a) The report shall include the household income (as measured by the
2 HUD-established Area Median Income) for each housing unit of the
3 housing project receiving a tax exemption in which payment in lieu of
4 taxes under this Article is being provided

5 (b) Provide the household income (as measured by the HUD-established
6 Area Median Income) for all other housing developments that offer
7 affordable units at up-to 120% of the Area Median Income (AMI) that
8 are the recipient of tax incentives that require the establishment of
9 affordable housing units.

10
11 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are
12 repealed.

13 **Section 3.** This ordinance is declared necessary for the preservation of the public
14 peace, health, safety, and welfare of the people of the City of Detroit.

15 **Section 4.** If this ordinance is passed by a two-thirds (2/3) majority of City Council
16 members serving, it shall be given immediate effect and shall become effective upon publication
17 in accordance with Section 4-118 of the 2012 Detroit City Charter; if passed by less than a two-
18 thirds (2/3) majority of City Council members serving, it shall become effective no later than thirty
19 (30) days after publication in accordance with Section 4-118 of the 2012 Detroit City Charter; if
20 this ordinance specifies a certain date to become effective, it shall become effective in accordance
21 with the date.

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23 Approved as to form:

24 _____

1 Conrad L. Mallett, Jr.
2 Corporation Counsel
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